

# TTAB

## BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PUCEL ENTERPRISES, INC.  
Petitioner,

CONSOLIDATED

v.

GRIZZLY INDUSTRIAL, INC.  
Respondent/Registrant

Opposition No. 123,506	Mark: GRIZZLY.COM
Cancellation No. 31,984	Mark: GRIZZLY
Cancellation No. 32,024	Mark: GRIZZLY
Cancellation No. 32,025	Mark: GRIZZLY INDUSTRIAL

### AGREED MOTION TO EXTEND DISCOVERY AND TESTIMONY PERIODS

Registrant, Grizzly Industrial, Inc., hereby requests that the discovery and testimony periods be extended three (3) months from July 18, 2005, and that the discovery and testimony periods be reset as follows:

THE PERIOD FOR DISCOVERY TO CLOSE:      October 18, 2005

Testimony period for party in position of      January 31, 2006  
plaintiff to close (opening thirty days prior  
thereto)

Testimony period for party in position of      April 15, 2006  
defendant to close (opening thirty days prior  
thereto)

Rebuttal testimony period to close (opening      June 15, 2006  
fifteen days prior thereto)

The grounds for this motion are as follows:

This is a consolidated proceeding involving three cancellation actions and one opposition, and the issues are somewhat involved because some of the evidence of use in this case is 20 years old or older. The parties are engaged in continuing discovery efforts, and additional time is needed to complete discovery.



07-19-2005

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #72

Petitioner's attorney, Ken Mitchell, agreed to this motion in a telephone conference with the undersigned on July 15, 2005.

For the foregoing reasons, petitioner's motion should be granted.

Date: July 15, 2005

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid in an envelope addressed to: Box TTAB – NO FEE, Commissioner for Trademarks, P.O. Box 1451, Alexandria, Virginia 22313-1451 on July 15, 2005.



Arléte Porter

By: 

Joseph F. Schmidt

Lisa C. Childs

Gretchen M. Hosty

MICHAEL BEST & FRIEDRICH LLP

401 North Michigan Avenue, Suite 1900

Chicago, IL 60611

(312) 661-2100

(312) 222-0818 (fax)

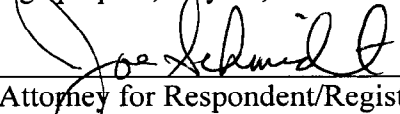
Attorneys for Respondent/Registrant Grizzly Industrial, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing AGREED MOTION  
TO EXTEND DISCOVERY AND TESTIMONY PERIODS was served on  
Petitioner/Opposer at the following address:

Kenneth L. Mitchell  
Woodling, Krost and Rust  
Kirtland Office Complex  
9213 Chillicothe Road  
Kirtland, Ohio 44094  
866-241-4043

via facsimile and first class mail, postage prepaid, July 15, 2005..

  
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Attorney for Respondent/Registrant

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